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Report of the Special Rapporteur on the rights of persons with disabilities on her visit to the Democratic People's Republic of Korea

Note by the Secretariat

The Secretariat has the honour to transmit to the Human Rights Council the report of the Special Rapporteur on the rights of persons with disabilities, Catalina Devandas Aguilar, on her mission to the Democratic People's Republic of Korea from 3 to 8 May 2017. In her report, the Special Rapporteur explores issues relating to her mandate in the light of the Convention on the Rights of Persons with Disabilities and other international human rights instruments. On the basis of the information gathered prior to, during and after the visit, she reflects on the situation of persons with disabilities in the Democratic People's Republic of Korea. She emphasizes gaps, shortcomings and areas where technical cooperation would be beneficial. Her recommendations aim to advance the rights of persons with disabilities in the country.

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Report of the Special Rapporteur on the rights of persons with disabilities on her visit to the Democratic People's Republic of Korea*

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* Circulated in the language of submission only.

I. Introduction

A. Programme of the visit

1. Following a recommendation by the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea (see A/70/362, para. 22), the Special Rapporteur on the rights of persons with disabilities requested a visit to the Democratic People's Republic of Korea. The visit took place from 3 to 8 May 2017 with a view to learning about the situation of persons with disabilities, the existing opportunities, challenges and shortcomings in the recognition of their rights and making recommendations to advance the implementation of the Convention on the Rights of Persons with Disabilities. The visit was the first ever to the country by a special procedures mandate holder of the Human Rights Council.

2. The Special Rapporteur visited Pyongyang and the town of Pongchon in South Hwanghae province. At national level, she met with senior government officials, including the Ambassador for Human Rights of the Ministry of Foreign Affairs, the Division Director of Human Rights and Humanitarian Issues of the Ministry of Foreign Affairs, the Minister of Public Health, the Division Director of the Legislative Department of the Presidium of the Supreme People's Assembly, the Division Director of the Education Commission and the Chairman of the Korean Federation for the Protection of the Disabled. At the provincial level, she met with the Director of the Education Department of the People's Committee of South Hwanghae province and a member of the provincial committee of the Korean Federation for the Protection of the Disabled.

3. The Special Rapporteur also met with representatives of the Deaf Association of Korea, the Blind Association of Korea, a number of persons with other impairments, the United Nations country team, the diplomatic community, humanitarian agencies and international cooperation actors.

4. In Pyongyang, she visited the Okryu children's hospital, the Munsu Functional Rehabilitation Centre, the Korean Rehabilitation Centre for Children with Disabilities, the Sci-Tech Complex and the Pyongyang primary boarding school. She also attended the closing ceremony of an amateur table tennis tournament for people with and without disabilities and a performance by the Korean Art Association of the Disabled. In Pongchon, she visited a special school for the blind. On 9 May 2017, she met with representatives of the Korean Foundation for the Disabled and Orphans in Beijing.

5. Although most requests for meetings and visits to places of interest to her mandate were accepted, the Special Rapporteur regretted that her request to meet with the Central Court, the Minister of Labour, the Minister of City Management, the Ministry of State Construction Control, the Central Bureau of Statistics and a visit to a mental health facility were not accommodated. She also regretted that she could only meet with a limited number of persons with disabilities and that there was no possibility to hold discussions with them in private.

6. The Special Rapporteur expressed her appreciation to the Government of the Democratic People's Republic of Korea for the cooperation extended to her prior, during and after the visit, and to the Korean Federation for the Protection of the Disabled and its staff in particular. She also wishes to thank especially all the persons with disabilities with whom she was able to interact. She is grateful to the United Nations Resident Coordinator and his office for the valuable assistance provided in support of the visit.

B. Context

7. The Democratic People's Republic of Korea is a socialist State driven by the Juche ideology, which emphasizes the principles of political and economic independence, self-reliance and self-defence. According to article 8 of the Socialist Constitution, the country follows a "people-centred system whereby the working people are the masters of

everything and everything in society serves them". The country is administratively divided into nine provinces and three directly controlled cities. The industrial sector is one of the major components of the national economy. Agriculture is the other foundation of the economy and the State is the owner of all land and productive assets. The State manages and allocates food, housing, work, heath care, education and other services to the population.

8. The country is not ranked in the Human Development Index and there is only limited information available on the components of the index.[1] Data on poverty, household income or expenditure is not collected and there is no nationally defined poverty line. According to the United Nations Children's Fund (UNICEF), in 2013 the gross domestic product (GDP) per capita was estimated at $1,013.[2] In 2013, the proportion of State budgetary expenditure on public health and education were respectively 6.4 per cent and 8.4 per cent of GDP (see CRC/C/PRK/5, annex, table 2).[3]

9. The 2008 census indicated that the population stood at 24 million, with an average annual growth rate of 0.85 per cent. Of that population, 48.7 per cent were men and 51.3 per cent women. In terms of distribution, 60.6 per cent were residing in urban areas and 39.4 per cent in rural areas.[4] Current estimates indicate a total population of 24.9 million.[5]

10. With respect to data on persons with disabilities, the 2008 census, which included part of the short set of questions of the Washington Group on Disability Statistics, indicated that 8.1 per cent of the population aged over 5 had a visual, hearing, physical or intellectual disability. The prevalence of disability in women was much higher (62 per cent) than in men (32 per cent). The disability sample survey conducted in 2014 in four provinces estimated a disability rate of 6.2 per cent of the overall population (approximately 1.5 million), with a prevalence of 55.1 per cent in women and 44.9 per cent in men.[6]

11. Since the mid-1990s, the country's humanitarian situation has been exacerbated by recurring natural disasters, leading to widespread and chronic shortages of food, water and sanitation services, as well as protracted food insecurity and undernutrition for a majority of the population. Estimates indicate that some 5.6 million people were affected by natural disasters between 2004 and 2015, and that today some 18 million people are affected by food insecurity, malnutrition and lack of access to basic services.[7] At the global level, international trade and investments are restricted owing to Security Council sanctions imposed on the country since 2006 for its nuclear and missile tests. While the international sanctions clearly exempt humanitarian and other similar activities, they have directly contributed to reluctance among donors to fund projects in the country.

12. Despite the sanctions, the country has continued to develop its nuclear and ballistic technology and to conduct nuclear tests, which has resulted in increased political and military tensions and a threat to peace and security. In recent months, the Security Council has adopted several resolutions condemning the country's pursuit of ballistic and nuclear weapons and has strengthened its sanctions against the country. That has led to the country becoming increasingly isolated, which directly affects persons with disabilities.

13. The country has very little access to information, technology, skills and knowledge of new methodologies in the area of disability. While travelling outside Pyongyang, the

[1] See http://hdr.undp.org/en/countries/profiles/PRK.

[2] See UNICEF, "Situation analysis of children and women in the Democratic People's Republic of Korea - 2017" (2016), p. 17.

[3] According to UNdata, in 2014 GDP amounted to $17.4 million, see http://data.un.org/CountryProfile.aspx?crName=Democratic%20People%27s%20Republic%20of%20Korea.

[4] Central Bureau of Statistics, Population Census 2008 (2008) available at https://unstats.un.org/unsd/demographic/sources/census/wphc/North_Korea/Final%20national%20census%20report.pdf.

[5] Humanitarian country team and partners, "DPR Korea needs and priorities 2017", p. 1.

[6] Korean Federation for the Protection of the Disabled, "*Disability sample survey 2014. DPRK*" (2015).

[7] Humanitarian country team and partners, "DPR Korea needs and priorities", pp. 3 and 5.

Special Rapporteur noted the stark disparity in the availability of services and the enjoyment of rights by persons with disabilities between the capital and rural areas. The lack of accessibility and essential services outside Pyongyang disproportionally affect persons with disabilities in a situation of poverty. She noted that any travel within the country is strictly regulated through the requirement of advance travel clearance and checkpoints on the main roads. She was also informed that no travel was authorized to certain counties and to Jagang province. This generalized denial of freedom of movement within the country disproportionally affects persons with disabilities, who may be in urgent need of accessing health care and other specialized services in Pyongyang and other localities.

II. Situational analysis and achievements

A. Legal framework

14. At the international level, the Democratic People's Republic of Korea is a State party to the International Covenant on Civil and Political Rights,[3] the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography and the Convention on the Elimination of all Forms of Discrimination against Women. In 2016, the Government ratified the Convention on the Rights of Persons with Disabilities and the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled. The country is not a party to the Optional Protocol to the Convention on the Rights of Persons with Disabilities and the authorities there have expressed their intention not to ratify it for the time being.

15. In 2016, the country submitted its fifth State party report to the Committee on the Rights of the Child and its combined second to fourth report to the Committee on the Elimination of Discrimination against Women, which were reviewed in September and November 2017 respectively. Both reports included sections on the rights of persons with disabilities. The State is however overdue to present its fourth reports to the Human Rights Committee and the Committee on Economic, Social and Cultural Rights. In 2014, it underwent its second universal periodic review and accepted approximately two thirds of the recommendations, which included disability-related recommendations. In 2013, the Human Rights Council established a Commission of Inquiry into human rights in the Democratic People's Republic of Korea, which is not recognized by the country. The final report of the Commission contains several paragraphs related to persons with disabilities (A/HRC/25/63).

16. The Democratic People's Republic of Korea continues to reject Human Rights Council and Security Council resolutions on the human rights situation in the country and does not therefore recognize the mandate of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea. However, State officials have indicated that the country is open for dialogue and cooperation with other thematic mandate holders. The Special Rapporteur hopes that the State will reconsider its cooperation with the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea and reminds the State of its obligations stemming from the International Covenant on Civil and Political Rights, to which it is still a party. She encourages the State

[3] On 25 August 1997, the Secretary-General received a notification of withdrawal from the Covenant from the Government, dated 23 August 1997. As the Covenant does not contain a withdrawal provision, on 23 September 1997, the Secretariat forwarded an aide-memoire to the Government explaining the legal position arising from its notification. As elaborated in the aide-memoire, the Secretary-General is of the opinion that a withdrawal from the Covenant would not appear possible unless all States parties to the Covenant agree to such a withdrawal. The notification of withdrawal and the aide-memoire were duly circulated to all States parties under cover of C.N.467.1997.TREATIES-10 of 12 November 1997.

to accept requests for country visits from other thematic special procedure mandate holders and to grant them unconditional freedom of movement in the country.

17. The domestic normative framework of the Democratic People's Republic of Korea provides protection and assistance to persons with disabilities, including specific references to persons with disabilities contained in the Constitution. For example, article 72 guarantees free medical care and material assistance to all persons who are no longer able to work because of old age, illness or disability. However, other articles contravene the Convention on the Rights of Persons with Disabilities, as illustrated in paragraphs 26–28 below.

18. The law on the protection of persons with disabilities, adopted in 2003 and amended in 2013, formally provides legal rights to persons with disabilities, primarily in the areas of rehabilitation, education, work and cultural life. It also establishes a central coordination mechanism for the protection of the rights of persons with disabilities (art. 45), as required by article 33 (1) of the Convention. The amended law brought the definition of disability (art. 2) into line with the Convention and introduced new provisions, such as the establishment of research centres to collect data on persons with disabilities (art. 51), measures to improve the accessibility of public infrastructure and services (arts. 47 and 48), or the establishment of a foundation for the support of persons with disabilities (art. 52). Nonetheless, the law only incorporates certain provisions of the Convention, while excluding other important ones, for example those relating to the right to equal recognition before the law, liberty of movement, living independently and being included in the community, freedom of opinion and expression, and women with disabilities. There are also provisions of the law that do not conform to the Convention, as discussed in paragraphs 26–28 below.

19. The Government has also adopted or amended other general legislation that has introduced positive changes for persons with disabilities. They include the law on the protection and promotion of the rights of the child, which states that children with disabilities have equal rights with others to receive education and medical care; the law on public health which provides for free medical care to persons with disabilities; the socialist labour law which grants subsidies and disability pensions to workers with disabilities; and the law on disaster prevention, rescue and recovery, which gives priority to children, women and persons with disabilities in the delivery of relief goods.

20. The Special Rapporteur was informed of the adoption of implementing regulations to enforce State legislation, such as the regulations on job placement, the regulations for schools for the blind and the deaf, the regulations on social insurance and social security, or the regulations on medical assessments of the ability to work, but did not have access to them.

II. Institutional and policy frameworks

21. The Special Rapporteur acknowledges the efforts made to address the needs of persons with disabilities. According to the information received, in the past 15 years the Government has undertaken a number of initiatives that have the potential to enhance the situation of this population group.

22. She appreciates the establishment in 2016 of the Central Committee for the Protection of Persons with Disabilities within the Cabinet, which serves as the national coordination mechanism, as required by article 33 (1) of the Convention on the Rights of Persons with Disabilities.

23. The Korean Federation for the Protection of the Disabled, an institution under the Cabinet which provides direction for the effective implementation of legislation and policy on the protection of persons with disabilities, has also made efforts to advance the disability agenda within the Government and to serve as the technical focal point in line with article 33 (1) of the Convention. The Special Rapporteur acknowledges the efforts that are under way to strengthen the Federation through the recruitment of personnel and through skills training. The Federation has approximately 20 full-time staff based in Pyongyang, including 4 persons with disabilities, and a representative in five provinces, where it has

established provincial branches. The Special Rapporteur was informed that the Federation was in the process of recruiting an additional 20–25 staff to serve as focal points on disability, who will be located within line ministries. She hopes that those focal points will include persons with disabilities.

24. During her visit, the Special Rapporteur was told that the Federation was also in the process of developing a strategic national action plan for the protection of persons with disabilities for the next decade, to be finalized by the end of 2017. The plan is expected to cover actions in priority areas, such as rehabilitation, inclusive education, work opportunities for persons with disabilities, accessibility of the physical environment across the country, increased social awareness on disability and strengthened collaboration with the international community. Furthermore, the Federation was developing substrategies in the areas of rehabilitation, vocational training and education.

25. The Special Rapporteur has not received any information about other general State policies and whether these are inclusive of persons with disabilities.

C. Outstanding legal issues

1. Legal and policy harmonization

26. The Special Rapporteur only had access to the legislation made available to her by the State, despite her request for additional legislation.[*] She expressed concern about the existence of legislation that is discriminatory towards persons with disabilities. She noted for instance the use of pejorative language to refer to persons with disabilities in several official documents, such as the terms "dumb" (for example, articles 172 and 229 of the law on criminal procedures, article 49 of the law on civil procedures, article 30 of the law on the protection and promotion of the rights of the child and the fifth periodic report of the State party to the Committee on the Rights of the Child); "incapable" and "cripples" (mentioned in article 78 of the amended socialist labour law of 2015), "invalids" (article 13 of the public health law), "partially or totally incompetent" (article 49 of the civil procedures law), or "insane" (article 66 of the Socialist Constitution).

27. She also notes with concern the discriminatory provisions against persons with intellectual and psychosocial disabilities contained in article 66 of the Socialist Constitution, article 50 of the law on the protection of persons with disabilities, article 49 of the law on the protection and promotion of women's rights, article 45 of the law on the protection and promotion of the rights of the child and articles 40 and 41 of the family law, which are not compliant with articles 12, 23 and 29 of the Convention on the Rights of Persons with Disabilities. They provide for the appointment and regulation of a guardianship system for persons considered unable to exercise their legal capacity on the grounds of their disability and deny them the right to vote and be elected, to act as a guardian of a child, or to adopt a child, with no recourse for appeal and review.

28. To complete the process of legal harmonization in accordance with article 4 of the Convention, the legislative authorities should undertake a comprehensive review of the normative framework and repeal or amend all provisions that are contrary to the Convention.

2. Implementation and safeguard monitoring of the Convention on the Rights of Persons with Disabilities

29. According to the information received, the Korean Federation for the Protection of the Disabled is the focal point within the Government for matters relating to the implementation of the Convention, while the Central Committee for the Protection of

[*] The Special Rapporteur requested but did not have access to the law on general secondary education (2011), the law on higher education (2011), the decree on the enforcement of universal 12-year compulsory education (2012), the social security law (2012) or the law on the protection of the elderly (2007).

Persons with Disabilities within the Cabinet was created to function as the national coordination mechanism, both in accordance with article 33 (1) of the Convention.

30. Since the ratification of the Convention, the Korean Federation for the Protection of the Disabled has started a process of recruitment of focal points to advise line Ministries on disability mainstreaming. The Federation is also in charge of drafting the national action plan for the protection of persons with disabilities, which needs to be adopted by the Central Committee for the Protection of Persons with Disabilities.

31. The Central Committee for the Protection of Persons with Disabilities is chaired by the Vice-Premier, and composed of representatives of the Education Commission, the Ministry of Labour, the Ministry of Public Health and other line ministries, the Korean Federation for the Protection of the Disabled and representatives of the Deaf Association of Korea and of the Blind Association of Korea. The Special Rapporteur was informed that the Ministry of Public Security would also become a member of the Committee to guarantee the inclusion of disability-related issues in the area of deprivation of liberty, which is a welcome development. Furthermore, the Special Rapporteur recommended that the Ministry of City Management and the Ministry of State Construction Control be included as members.

32. The Special Rapporteur urges the relevant authorities to promptly submit the strategic national action plan for the protection of persons with disabilities for approval. The plan should include time-bound benchmarks for implementation at provincial, district and county levels, along with the corresponding budgetary measures, to ensure that all persons with disabilities across the country benefit equally from its implementation.

33. The Special Rapporteur emphasizes the need to ensure coherence and coordination between the focal points being recruited by the Federation, since it is important that they are given a clear mandate and terms of reference and full-time responsibility, and are equipped with adequate resources and training to perform their tasks effectively.

34. The Special Rapporteur also observes that the Democratic People's Republic of Korea has yet to set up an independent mechanism, compliant with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles), to monitor the implementation of the Convention, as required by article 33 (2), and encourages the Government to do so as soon as possible.

III. Challenges and opportunities identified in the Democratic People's Republic of Korea

35. The Special Rapporteur was able to obtain only limited information on the situation of persons with disabilities. Furthermore, she notes that the majority of the information received from external sources relating to persons with disabilities in the country is outdated. Her report therefore relies primarily on information gathered during the visit.

A. Data collection

36. There is very limited data, across all sectors, disaggregated by disability and other parameters, including age, gender and geographic location. Nevertheless, it is a positive indication that the 2008 census included for the first time questions on disability, and that a disability sample survey was conducted in four provinces (South Hamgyong, Kangwon and North and South Pyongan) in 2014. The survey results were further disaggregated by age, sex, type of disability, marital status, labour activity and education level. The Central Bureau of Statistics also conducted a socioeconomic, demographic and health survey in 2014 with the support of the United Nations Population Fund (UNFPA), which collected information on reduced mobility in older persons.

37. The Special Rapporteur was pleased to learn that the next population census in 2018 will include the whole set of questions of the Washington Group on Disability Statistics, and that the 2017 multiple indicator cluster survey to be conducted later in 2017 will

include the UNICEF-Washington Group module on child functioning, which will make it possible to disaggregate data by disability and age, and obtain internationally comparable data. She strongly encourages all relevant authorities to apply the methodology developed by the Washington Group on Disability Statistics in all future data-collection efforts.

38. According to the information received, the Government has a centralized disability management information system, which includes information provided by household doctors across the country. However, the Special Rapporteur was not given access to such administrative data. In addition, article 5 of the law on the protection of persons with disabilities provides that the State shall periodically survey the actual conditions of persons with disabilities and assess their degree of disability. Moreover, article 10 of the law tasks medical and other institutions to periodically identify and register persons with disabilities according to their type of disability.

B. Stigma and discrimination

39. During her visit, the Special Rapporteur observed the prevalence of the medical model of disability and that it permeated and influenced the way in which persons with disabilities were perceived and treated by society, despite the spirit of the amended law on the protection of persons with disabilities. She noted that the emphasis is still on "treating", "curing" and "rehabilitating" persons with disabilities.

40. The ideal of being healthy and strong is highly valued in the Democratic People's Republic of Korea, since each person is expected to defend the country and contribute to its development. Any sign of weakness is considered shameful and those who do not contribute to society are despised. In that context, persons with disabilities are easy targets of stigma and discrimination and are often neglected by their home communities and authorities. The Special Rapporteur was informed that families are reluctant to expose their relatives with disabilities in the community and that women and girls with disabilities, in particular, are ashamed to participate in local activities, owing to the strong stigma attached to impairment. Moreover, persons with disabilities with no opportunities to work are looked down upon, because they are not considered to be productive members of society.

41. The Special Rapporteur was told of an existing practice according to which young women will "sacrifice themselves" and volunteer to marry veterans with disabilities, as a way to recognize their contribution to the country, because otherwise, owing to their impairments, they will not find a spouse.

42. In general, persons with disabilities continue to be excluded and segregated. They receive specialized services in separate settings, depriving them of access to facilities and services on an equal basis with others. The Special Rapporteur notes that State efforts are focused primarily on deaf and blind persons and that all services are provided to them in a segregated manner; whereas the people she met explained that one of their main desires was to have access to the same level of services as everyone else. During her visit, she was informed of the challenges faced by wheelchair users, who had often been home-schooled owing to the lack of accessibility of their homes, and were advised to follow particular professional paths based on stereotypes about their impairments. The Special Rapporteur also saw one little person (a child with achondroplasia), a few autistic children and children with intellectual disabilities, all residing in specialized segregated settings, but she could not obtain information from them on their particular situation. She is greatly concerned about this segregated approach that perpetuates discrimination and stigma against persons with disabilities.

43. The Special Rapporteur received allegations that other persons with disabilities live in isolated special facilities, including little persons and persons with psychosocial disabilities, but could not verify the information. In fact, she did not meet anyone with psychosocial, multiple or severe disabilities. She is also greatly concerned about their situation and living conditions, as these groups often face the most aggravated forms of discrimination. However, their situation remains totally unknown to her, as the Government did not facilitate any meetings with such groups or visits to the facilities in which they reside.

44. The Special Rapporteur encourages the Government to combat stereotypes and prejudices against persons with disabilities. National media needs to be involved to change the perception of disability in society and portray a positive image of the diversity of persons with disabilities. In that regard, she welcomes the fact that the Korean Federation for the Protection of the Disabled is cooperating with the Korean Central News Agency and the Radio-TV Broadcasting Committee to develop media campaigns to change social perceptions about persons with disabilities. Efforts should promote the correct terminology when referring to persons with disabilities and discontinue the use of terms such as "sane", "healthy", "able-bodied" or "normal", which she heard repeatedly in various official meetings. While she welcomes the action taken by the Federation to raise awareness of the need to recognize the dignity of persons with disabilities, particularly in the fields of sport and the arts and through annual celebrations of national and international days of persons with disabilities, she encourages the Government to increase and expand these programmes to other areas too.

C. Accessibility

1. Access to the physical environment

45. During the visit, the Special Rapporteur observed that most of the infrastructure is not accessible to persons with disabilities, including new public buildings such as the Sci-Tech Complex built in 2015, Pyongyang International Airport (arrivals area) inaugurated in 2016 and Pyongyang primary boarding school, which was entirely refurbished in February 2017. Housing facilities are not accessible, environmental barriers and limited access to public transportation are major challenges that have an impact on the rights of persons with disabilities to live autonomously and to participate fully in all aspects of life.

46. The Special Rapporteur was informed that the National Construction Committee, under the Ministry of State Construction Control, has developed regulations on accessibility and that since May 2017, persons with disabilities who live in Pyongyang can use taxi services free of charge. However, she notes that the country is not using updated accessibility standards. She welcomes the request by the State for specific technical assistance in the area of international standards on accessibility and universal design and its interest in increasing information exchange with international partners in technical areas.

47. The Ministry of State Construction Control and its technical staff in charge of monitoring the construction and maintenance of public buildings should monitor the implementation of the regulations on accessibility for new construction and consider making an accessibility needs assessment of existing infrastructure to be refurbished across the country, including roads, schools, hospitals, workplaces, public administration offices, courts, police stations, museums and cultural facilities and other public places.

2. Access to information and communications

48. With regard to access to information and communications, the Special Rapporteur acknowledges several positive developments for deaf persons, including the recognition of Korean sign language as an official language since 2003, the existence of an association of sign language interpreters with deaf interpreters, the possibility for deaf persons to send free text messages and the provision of sign language interpreters during investigation and trials in accordance with articles 172 and 229 of the law on criminal procedures and article 12 of the law on civil procedures. There is also an initiative under discussion to grant them reduced fees on phone calls. At the Sci-Tech Complex, the Special Rapporteur visited the special e-reading room equipped with a virtual platform with sign language features to enable deaf persons to access information, as well as audio files and Braille keyboards for blind persons. However, she was informed that there was no captioning or sign language interpretation on the news or on any other television programme or mass media event. With respect to blind persons, she was informed that the use of screen readers was not available in the country and that the Kwangmyong Publishing House printed Braille documentation, although in insufficient numbers.

49. In relation to information and communications technology, the Korean Federation for the Protection of the Disabled is collaborating with the Pyongyang Information Centre, which is under the authority of the National Bureau of Information, to provide persons with disabilities with access to new technologies and systems, including access to distant learning through the local intranet system. Nonetheless, more efforts are needed to ensure full coverage and access to information and communications for the diversity of persons with disabilities across the country.

D. Participation

50. The Korean Federation for the Protection of the Disabled has been promoting the creation of affiliated associations of persons with disabilities at national, provincial and county level, and coordinates closely with them. These associations include for instance the Korean Association of Women with Disabilities (at the provincial level), the Korean Art Association of the Disabled, and the Korean Sports Association of the Disabled. Moreover, the representatives of the Association of the Deaf and the Association of the Blind participate in the meetings of the Central Committee for the Protection of Persons with Disabilities, which is a positive development. Nonetheless, representation on the Central Committee should be expanded to include persons with other types of impairments. The Federation coordinates monthly meetings of all associations of persons with disabilities.

51. More efforts are required to ensure that consultations are held and the diversity of persons with disabilities is represented in decision-making, including in rural and remote areas. While the Special Rapporteur welcomes the fact that associations of the deaf and of the blind are composed exclusively of persons with disabilities, she encouraged the Government to promote and support the establishment of independent self-managed associations representing all persons with disabilities, including little persons and those with physical, intellectual, developmental, psychosocial and multiple impairments, who are currently not represented by any of the existing associations.

52. The Government must take into consideration the views and opinions of persons with different impairments when devising public policies affecting persons with disabilities. To increase the participation of persons with disabilities, she calls on the State to promote an environment in which they can effectively and fully participate in the conduct of public affairs, and in which they can be invited to participate in policymaking and legislation processes affecting them. Moreover, the Government should encourage and support the designation of persons with disabilities in public functions and in the Supreme People's Assembly. The meaningful participation of women with disabilities should also be strengthened.

E. Education

53. According to official data from 2010 and 2013, there were over 28,000 nurseries, 14,312 kindergartens, 4,822 primary schools, 4,366 junior secondary schools, 4,328 senior secondary schools, 460 colleges and 302 universities in the country (see CEDAW/C/PRK/2-4, para. 100).[10] Additionally, there are some 16,700 children aged 0 to 16 who live in State-run institutions, such as baby homes, residential care centres and boarding schools.[11] They include three special schools for the blind and eight special schools for the deaf, located throughout the country.

54. The 2008 census indicated a literacy rate of 99.99 per cent for the total population aged over 10 years, with no variation between rural and urban areas, and between women

[10] See UNICEF, "Situation analysis of children and women in the Democratic People's Republic of Korea – 2017", p. 62.

[11] See Ministry of Education and National Commission for UNESCO, "National plan of action on Education for All", p. 7.

and men.[12] In that regard, the Korean Federation for the Protection of the Disabled acknowledged that in practice the literacy rate is probably lower, owing to the fact that many children with disabilities do not attend school. According to a socioeconomic, demographic and health survey carried out in 2014, while school attendance between 5 and 14 years of age appeared to be almost universal, it dropped to 62 per cent between the ages of 15 and 19, and to 16 per cent between the ages of 20 and 24, with stark discrepancies between men and women in both rural and urban areas. With completion of compulsory education at 17 years of age, only a small proportion of children, primarily urban males, were found to be pursuing higher levels of education.[13]

1. Access to primary and secondary education

55. In 2012, a decree was promulgated on the enforcement of universal 12-year compulsory education, extending the time frame for free and compulsory education from 11 to 12 years, which became effective on 1 April 2014. The new system consists of one year of preschool education, five years of primary school and six years of secondary school.[14] According to the Education Commission, all children aged between 5 and 17 follow the 12-year education system, including children with disabilities. Children with physical disabilities and those with "mild" intellectual disabilities are reportedly included in regular or boarding schools, while blind and deaf students are taught separately in special schools. In relation to teacher training, the Special Rapporteur was informed that deaf persons were trained to become teachers in schools for the deaf, which she considers to be a good practice.

56. The Education Commission informed the Special Rapporteur that it did not possess data on the number of children with disabilities who were enrolled in mainstream schools and that those children did not benefit from any kind of reasonable accommodation, curricular adaptation or other measures to support their inclusion. Moreover, children with disabilities faced multiple barriers to accessing education on an equal basis with others, owing to the lack of accessible infrastructure, support and specialized teachers. The Special Rapporteur expresses serious concern that children with disabilities do not attend mainstream schools and when they do, they do not receive quality education. She also received information that the parents of children with intellectual disabilities did not send them to school, not only because of the lack of quality services and of any kind of support, but also because of stigma and poor expectations in the education system of the potential of the children.

57. Similarly, the Special Rapporteur was informed that many parents of deaf and blind children preferred to keep them at home, rather than sending them to distant boarding schools, where they returned home only twice a year, for two months in the winter and one month in the summer. It is also of concern that the curriculum taught in the special schools for the deaf and the blind differs from the curriculum in regular schools, with more emphasis on vocational training. For instance, during her visit to the Pongchon School for the Blind, she was informed that in addition to Braille, orientation and other general education subjects, students learned primarily vocational skills, such as massage therapy, music and arts, agriculture, or handicrafts, which prevented them from entering tertiary education.

58. The Special Rapporteur was also told that only a small proportion of children with other types of impairments, such as those with intellectual disabilities, autistic children, children with cerebral palsy and Down's syndrome, receive education at the Korean Rehabilitation Centre for Children with Disabilities in Pyongyang. This pilot rehabilitation centre is hosted in a regular nursery and provides specialized therapies for up to 25 children

[12] Central Bureau of Statistics (CBS), DPRK 2008 Population Census – National Report, 2009, pp. 109–110.

[13] Central Bureau of Statistics and UNFPA, *Socio-economic, demographic and health survey 2014*, (2015), pp. 37–38.

[14] Democratic People's Republic of Korea - Education for all 2015 national review (2014), pp. 13 and 19.

with disabilities between the ages of 3 and 9. Individual learning plans, including curricular adaptations, accommodation and specialized support, are currently not available at the facility, although they are essential for securing access to quality education on an equal basis with others. The majority of children with disabilities, including those with multiple, intellectual or developmental disabilities, fall outside the school system altogether.

59. The Special Rapporteur urges the Education Commission to take measures for the progressive implementation of an inclusive quality education system and to provide learners with disabilities with the support needed to access education on an equal basis with others. Such measures should entail adjusting the physical environment to make all national kindergartens, schools, colleges and universities accessible, adapting educational materials and learning methodologies, training teachers and giving learners with disabilities the necessary support and reasonable accommodation, including sign language interpretation, audio and Braille materials and personal assistance. She also recommends converting the 11 existing special education schools in resource centres for children with disabilities, and making further efforts to ensure that all children with disabilities, including those who need a high level of support, can access quality education on an equal basis with others.

2. Access to vocational training and higher education

60. The Special Rapporteur was informed that after completing secondary school, persons with disabilities have the opportunity to further their education through specialized vocational training in light industries such as factory or forestry schools, or pursue their education by going to college, including through distance learning. Those who successfully graduate from college can take an examination to be admitted to university. However, she received information that in practice persons with disabilities are rarely given the opportunity to take the entrance examination.

61. It is of concern that very few persons with disabilities (primarily learners with minor physical disabilities) reach tertiary education and if they do, it is without the benefit of the support and accommodation they require. In that context, deaf and blind persons, women with disabilities and persons with intellectual, psychosocial or multiple disabilities have almost no chance of being admitted to university. Further efforts are needed to amplify the career options for the diversity of persons with disabilities, which currently appear to be limited to traditional career paths for persons with disabilities (arts, embroidery, massage therapy etc.), and to increase access to university for all persons with disabilities.

F. Social protection

62. In the Democratic People's Republic of Korea, the State is the sole provider of all living conditions for its citizens, including those with disabilities. Its social protection framework includes, inter alia, free universal health care, 240 days of maternity leave on full pay and the provision of basic food, clothing and housing. According to the law on the protection of persons with disabilities, such persons can benefit from subsidies, pensions and specialized services, including workshops, and scholarships to study.

63. According to the combined second to fourth report of the State party to the Committee on the Elimination of Discrimination against Women, in 2008 the State adopted a social security law (amended in 2012), which sets out the principles according to which social security is provided to people who are unable to work due to old age, sickness or disability. It also sets out the procedure for applying for social security, the disbursement of allowances, the establishment of social security institutions and the obligations of the institutions and enterprises concerned. However, the Special Rapporteur was unable to access this legislation and did not receive adequate information regarding the system. The same applies to the law on the protection of the elderly, mentioned in the same report, according to which older persons receive pensions and subsidies from the State.

64. According to the information available, household doctors make a disability assessment at the local level and the information is then shared at the county, district and provincial levels up to the central level, where information is recorded in a centralized disability management information system. It appears that the registration process entails a

procedure for determining disability founded only on a medical assessment, which should be revised in line with the Convention on the Rights of Persons with Disabilities.

65. Regrettably, the Special Rapporteur was not able to obtain sufficient information regarding the disability certification process, which, she was told, is provided by the Ministry of Labour.

66. The Special Rapporteur noted that the law on the protection of persons with disabilities provides preferential treatment to "honoured ex-soldiers with disabilities and people with disabilities who have performed meritorious services for socialist construction" (art. 7). She was informed that such persons with disabilities benefit from better housing and job opportunities, and have access to health-care facilities that are exclusively for them. Similar provisions are found in the Socialist Constitution, the public health law, the social security law, the law on the protection of the elderly and other legislation. Such provisions and benefits should be extended to all persons with disabilities, not only to a small privileged group.

67. The Special Rapporteur has identified a need to expand the effective coverage of benefits and services to all persons with disabilities, including little persons and those with intellectual, developmental, psychosocial, multiple and severe disabilities, so as to ensure their enjoyment on an equal basis with others and to mainstream disability in all other social protection programmes.

68. Regarding her visit to the Pyongyang primary boarding school, while the Special Rapporteur acknowledges the attention paid to the situation of orphans with and without disabilities, she highlights the need to transition from residential care institutions to family and community-based forms of childcare, such as foster care, adoptive families and other family-like settings, in accordance with articles 20 and 23 of the Convention on the Rights of the Child and article 7 of the Convention on the Rights of Persons with Disabilities.

G. Health

69. The amended public health law of 2012 governs the health policy of the country, which is based on a system of free universal health care. According to official data, in 2014 the country had 1,829 hospitals, including central, provincial, general and specialized hospitals, 55 preventive stations, 6,263 polyclinics and clinics and 682 sanatoriums for preventive and curative care. Everyone receives preventive and curative services provided by some 45,000 household doctors, where one doctor is responsible for about 130 households (see CEDAW/C/PRK/2-4, paras. 150–151). However, despite the high degree of medical coverage, the Minister of Public Health has acknowledged the existence of general shortages in quality medical equipment and medicines, including essential medicines and basic laboratory tests. In that regard, the Special Rapporteur was astonished to learn from several interlocutors that in some hospitals doctors perform surgery, including amputations, without anaesthesia, owing to the lack of sedatives available. Other major shortcomings of the public health system include old infrastructure, a lack of heating, irregular electricity, an unsanitary and irregular water supply and a limited operational budget.

70. During her stay, the Special Rapporteur visited the Okryu children's hospital and two rehabilitation centres in Pyongyang — the Munsu functional rehabilitation centre and the Korean rehabilitation centre for children with disabilities — all of which were well equipped. She was informed that there are no similar facilities and services for persons with disabilities elsewhere in the country. For instance, the Okryu hospital has surgical and neurological departments equipped to handle cases of children with spina bifida, autism and cerebral palsy, which are unavailable outside Pyongyang. Officials explained that these three facilities are model hospitals and centres that the Government intends to replicate across the country and that a new functional rehabilitation centre for persons with disabilities will be built in 2018 in Pyongyang, which will also serve as a training centre for community-based rehabilitation workers from all provinces. The Special Rapporteur encourages the Government to progressively implement disability-specific services in the community in all parts of the country, to ensure the inclusion and autonomy of persons with

disabilities, and does not recommend the creation of new separate facilities for persons with disabilities.

71. The Special Rapporteur was shown the telemedicine network that connects the Okryu children's hospital with 11 provincial paediatric hospitals through optic fibre, connects the latter with some 200 paediatric departments in municipal and county hospitals, and is used to train doctors and other health workers and discuss cases. If fully implemented, it has the potential to reduce inequalities in access to health care between the capital and rural areas.

72. With regard to women with disabilities, the Special Rapporteur was informed that they have access to sexual and reproductive health services and can take decisions concerning family planning. However, the concept of informed consent in general does not appear to be known or sought from persons with disabilities. She received worrisome reports of forced abortion and forced sterilization of women with disabilities and that infanticide is sometimes practiced after the birth of a child with disabilities, but is not in a position to confirm or deny those allegations.

73. The Special Rapporteur notes that the law on the protection of persons with disabilities places an emphasis on the prevention of the occurrence and aggravation of disability (art. 4). While acknowledging the importance of public health campaigns, including on the prevention of diseases or conditions that could lead to impairment, she notes that this issue should fall under the responsibility of the Ministry of Public Health as it addresses the general population. As the Convention on the Rights of Persons with Disabilities does not include disability prevention (apart from the prevention of further disabilities in article 25 (b)), she recommends removing article 4 from the law on the protection of persons with disabilities and inserting it into the public health law.

74. The Special Rapporteur was alarmed to learn from the Ministry of Public Health that all little persons are registered and receive special attention, including trials and research to identify treatments to increase their height. She recommends that these practices be halted and that little persons fall under the overall responsibility of the Korean Federation for the Protection of the Disabled, as is the case for other persons with disabilities.

H. Legal capacity

75. Persons with disabilities can be deprived of their right to legal capacity. It is assumed that some people with disabilities have no legal capacity to take decisions on their own and should be placed under the responsibility of a guardian. Article 50 of the amended law on the protection of persons with disabilities provides for the appointment of such a guardian. The Special Rapporteur was informed that this provision must be read in conjunction with articles 40 and 41 of the family law and article 49 of the civil procedure law, which regulate the appointment of a guardian for those who cannot exercise their legal capacity due to disability.

76. The Special Rapporteur stressed that any provision establishing guardianship systems for persons with disabilities and restricting their legal capacity based on the presumption or existence of a disability are contrary to article 12 of the Convention on the Rights of Persons with Disabilities. She strongly urged the Government to amend such provisions and guarantee that all persons with disabilities retain their legal capacity and are offered support to make their own decisions.

I. Other human rights issues

77. While the rights of persons with psychosocial disabilities is a priority issue for her mandate, the Special Rapporteur regrets that, despite repeated requests, she was unable to visit a psychiatric hospital or to meet any persons with psychosocial disabilities. She profoundly regrets that she was unable to make an assessment of their situation in the country.

78. The Special Rapporteur could not obtain any information regarding the deprivation of liberty of persons with disabilities in the country. Similarly, she did not receive information on access to justice, apart from information about an accommodation procedure contained in the law on criminal procedures and the law on civil procedures on the provision of sign language interpretation. She was informed of one case of a deaf person accused of a crime who was assisted by a sign language interpreter during the trial.

79. In the area of work, out of some 1,200 workshops or light factories for persons with disabilities that were built in the 1950s, the majority are reportedly no longer operational, owing to lack of equipment and the raw materials to produce goods. The Special Rapporteur was informed that when someone acquires a disability, they can opt to work in these factories, where they benefit from reduced working hours and higher salaries. Moreover, the State reportedly provides one month's leave in rehabilitation facilities and six months to war veterans. She was also told that according to the regulations on job placement, institutions and enterprises are obliged to employ former soldiers with disabilities, blind and deaf persons, and other persons with disabilities above degree two, and that they cannot be dismissed because of their disability, unless in unavoidable circumstances. She recommends that there is a transition from separate workshops for persons with disabilities to inclusive workplaces. In that regard, the creation in 2014 of nine self-help groups of persons with and without disabilities working together on income-generating activities, employing some 120 persons with disabilities in total, including women, is a good pilot practice.

IV. The role of the United Nations country team and international cooperation actors

80. In 2016, the Government and the United Nations country team[15] jointly formulated and agreed upon a strategic framework for cooperation that sets out the agreed priorities for United Nations country-level engagement for the period 2017–2021. In the strategic framework food and nutrition security, social development services, resilience and sustainability, and data and development management were identified as the main strategic priorities that the United Nations would seek to address in support of government programmes. The Government and the United Nations also committed to applying a human rights-based approach, gender equality, the Sustainable Development Goals and other principles throughout all programmes.[16]

81. Given the country's protracted humanitarian situation, the humanitarian country team prepares an annual appeal for donors, which includes persons with disabilities among its most vulnerable beneficiaries. However, since 2012 donor funding has declined radically, not only because of the international sanctions and political considerations, but also owing to other factors, such as disruption to fund transfers, lengthy procurement processes and the slow delivery of equipment and supplies.[17]

82. In that context, international cooperation actors should support the effective implementation of the Convention on the Rights of Persons with Disabilities in the country, including through the allocation of adequate financial and human resources to inclusive programmes and to disability-specific projects. The Special Rapporteur also acknowledges the country's openness for exchange and interaction with other countries to learn from their practices in the area of disability, which she considers an opportunity for further engagement.

[15] There are six resident United Nations agencies in the country, the Food and Agriculture Organization of the United Nations, the United Nations Development Programme, UNFPA, UNICEF, the World Food Programme and the World Health Organization, and eight non-resident agencies.

[16] See "Strategic framework for cooperation between the United Nations and the Democratic People's Republic of Korea, 2017-2021", pp. 11–14.

[17] Humanitarian country team and partners, "DPR Korea needs and priorities 2017", p. 15.

83. The Special Rapporteur notes the references to international human rights norms and standards, a human rights-based approach and to persons with disabilities in the strategic framework and the annual "Needs and priorities" document for 2017. Furthermore, she welcomes the increasing efforts for and attentiveness to the rights of persons with disabilities of some United Nations agencies and international cooperation organizations. However, in her unofficial meetings she noted some discrepancies in the level of awareness of disability issues across international cooperation actors.

84. The Special Rapporteur strongly encourages the United Nations country team, the humanitarian country team, the diplomatic community and international cooperation actors to mainstream disability in all their strategies, assessments and programmes, to make all their projects inclusive of persons with disabilities, and to recruit persons with disabilities onto their staff. Moreover, she urges the country team to support the implementation of the Sustainable Development Goals in the Democratic People's Republic of Korea and to include the rights of persons with disabilities in a cross-cutting manner, to truly ensure that no one is left behind.

V. Conclusions and recommendations

A. Conclusions

85. **The Special Rapporteur reiterates her appreciation to the Government of the Democratic People's Republic of Korea for accepting her request to visit the country and by doing so to enable her to learn about the efforts made to advance the situation of persons with disabilities and to identify opportunities for improvement. That invitation and the recent ratification of the Convention on the Rights of Persons with Disabilities constitute encouraging positive indications for the advancement of the rights of persons with disabilities in the country.**

86. **The Special Rapporteur also notes several shortcomings, which prevent persons with disabilities from gaining access to education and services on an equal basis with others and from exercising their legal capacity, and which pose barriers to accessibility. She encourages the Democratic People's Republic of Korea to strengthen its legal and policy frameworks on the rights of persons with disabilities and to move towards the comprehensive implementation, enforcement and monitoring of the Convention. She stresses the need for further efforts to promote the independence and autonomy of persons with disabilities, guarantee their equal recognition as persons before the law and their access to education and work to ensure their social and economic inclusion, and to transition from segregated to inclusive communities.**

87. **The 2030 Development Agenda constitutes a great opportunity to promote disability-inclusive development. The cost of excluding persons with disabilities from the main economy and society is always high, not only for them and their families, but also for the economy of the country. To achieve the commitment of "leaving no one behind" in implementing the Sustainable Development Goals, the Democratic People's Republic of Korea needs to foster the inclusion of persons with disabilities in society and ensure their participation in all national strategies, policies and programmes.**[18]

88. **This is also an opportunity for the Office of the United Nations High Commissioner for Human Rights, United Nations human rights mechanisms, the broader United Nations system and the international community to continue the dialogue in this and other human rights-related areas. Despite some of the challenges encountered during this first visit to the country, many lessons can be drawn for future engagement by other human rights experts. In that regard, country visits by other special procedures mandate holders would be greatly beneficial.**

[18] The report of the Special Rapporteur on disability-inclusive policies (A/71/314) contains useful guidance in this regard.

89. **The Special Rapporteur hopes that her visit and report will have a positive impact on the lives of persons with disabilities and that they will assist the Government in advancing the disability rights agenda. She looks forward to a continued dialogue and collaboration with the State and other actors on the implementation of her recommendations.**

B. Recommendations

Legal, institutional and policy frameworks

90. **The Special Rapporteur recommends that the Government of the Democratic People's Republic of Korea:**

(a) **Ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities and other international human rights instruments to which the State is not yet a party;**

(b) **Submit the overdue fourth State party reports to the Committee on Economic, Social and Cultural Rights and to the Human Rights Committee as soon as possible and include information regarding persons with disabilities;**

(c) **Consider extending a standing invitation to all special procedures mandate holders to visit the country;**

(d) **Conduct a comprehensive legislative review of the national legal framework with a view to amending or repealing provisions that are contrary to the Convention on the Rights of Persons with Disabilities, including those contained in the Socialist Constitution, the law on the protection of persons with disabilities, the law on the protection and promotion of women's rights, the law on the protection and promotion of children's rights, the family law, the public health law, the law on criminal procedures and the law on civil procedures;**

(e) **Promptly finalize and submit for approval the strategic national action plan for the protection of persons with disabilities, with dedicated budgetary resources, and ensure the participation of persons with disabilities, including children and youth, in its implementation and evaluation;**

(f) **Ensure that all public policies are inclusive of persons with disabilities, and that adequate resources are allocated for their effective implementation at provincial, district and county levels;**

(g) **Continue strengthening the capacities of the Korean Federation for the Protection of the Disabled to coordinate disability issues within the State apparatus and monitor the implementation of the Convention, and accelerate the recruitment of the disability focal points to be located in line ministries with the necessary terms of reference, training and responsibilities to perform their tasks effectively;**

(h) **Designate or set up an independent monitoring mechanism compliant with the Paris Principles to monitor the implementation of the Convention in accordance with article 33 (2).**

Data collection

91. **The Special Rapporteur recommends that the Government of the Democratic People's Republic of Korea:**

(a) **Strengthen the institutional data collection and analysis capacity of the Central Bureau of Statistics and the Korean Federation for the Protection of the Disabled and ensure the collection of data on poverty and on the situation of persons with disabilities, disaggregated, at a minimum, by sex, age and geographic region;**

(b) **Apply the methodology developed by the Washington Group on Disability Statistics in all demographic and other surveys and train enumerators accordingly.**

Stigma and discrimination

92. **The Special Rapporteur recommends that the Government of the Democratic People's Republic of Korea:**

(a) **Develop and carry out awareness-raising programmes to dispel attitudinal barriers and stigma related to persons with disabilities;**

(b) **Sensitize the media to promote a positive image of the diversity of persons with disabilities and the correct use of terminology when referring to persons with and without disabilities;**

(c) **Raise awareness of intellectual and other disabilities that go undetected, such as cerebral palsy, autism, Down's syndrome and spina bifida, including in rural and remote areas of the country, and improve access to services for all persons with disabilities everywhere;**

(d) **Recognize little persons as persons with disabilities protected under the responsibility of the Korean Federation for the Protection of the Disabled.**

Accessibility

93. **The Special Rapporteur recommends that the Government of the Democratic People's Republic of Korea:**

(a) **Apply international standards for universal design and accessibility regulations issued by the Ministry of State Construction Control to the construction and maintenance of all public and private infrastructure, and adopt a time-bound plan to make all existing public services, infrastructure and transport accessible;**

(b) **Adopt regulations to guarantee the provision of information in accessible formats, including information and communications technology.**

Participation

94. **The Special Rapporteur recommends that the Government of the Democratic People's Republic of Korea:**

(a) **Promote and support the establishment of associations representing all persons with disabilities, including little persons and those with physical, intellectual, developmental, psychosocial and multiple impairments;**

(b) **Ensure the participation of the diversity of persons with disabilities, including women and girls, in the development and implementation of laws and policies that directly or indirectly concern them through the organization of country-wide accessible consultations;**

(c) **Increase the representation of persons with disabilities in public functions, including in the Supreme People's Assembly.**

Education

95. **The Special Rapporteur recommends that the Government of the Democratic People's Republic of Korea:**

(a) **Take measures for the implementation of an inclusive quality education system across the country through adjustments to the physical environment, adaptation of educational materials and learning methodologies, teacher training, and the provision of support and accommodation for all students with disabilities;**

(b) **Convert the existing 11 special education schools in resource centres to support the inclusion of all children with disabilities in regular schools;**

(c) **Ensure that all children with disabilities, including those with severe and intellectual disabilities, can access education on an equal basis with others;**

(d) **Expand career options for all persons with disabilities and ensure their access to tertiary education on an equal basis with others.**

Social protection

96. **The Special Rapporteur recommends that the Government of the Democratic People's Republic of Korea:**

(a) **Extend the effective coverage of social protection benefits and services to all persons with disabilities, including little persons and those with intellectual, developmental, psychosocial, multiple and severe impairments;**

(b) **Transition from residential care institutions to family and community-based forms of childcare;**

(c) **Review the disability determination process to incorporate a human rights-based approach.**

Health

97. **The Special Rapporteur recommends that the Government of the Democratic People's Republic of Korea:**

(a) **Provide inclusive disability services in the community at the provincial, district and county levels, and refrain from building separate facilities for persons with disabilities;**

(b) **Provide medical care for persons with disabilities as close as possible to their homes, including access to reproductive health services, and promote their inclusion, autonomy and independence.**

Legal capacity

98. **The Special Rapporteur recommends that the Government of the Democratic People's Republic of Korea:**

(a) **Guarantee the exercise of legal capacity to all persons with disabilities, revoke legislative provisions establishing a guardianship system and other forms of substituted decision-making, and transition to a supported decision-making approach.**

Other issues

99. **The Special Rapporteur recommends that the Government of the Democratic People's Republic of Korea:**

(a) **Make all justice proceedings and courts accessible to the diversity of persons with disabilities, including through the provision of legal aid and information in accessible formats, and adopt protocols for procedural and age-appropriate accommodations;**

(b) **Transition from separate workshops for persons with disabilities to inclusive workplaces;**

(c) **Provide United Nations agencies and other international cooperation actors with unhindered access to vulnerable populations, including persons with disabilities, in all counties and provinces.**

International cooperation

100. **The Special Rapporteur recommends that the United Nations country team, donors and international cooperation actors:**

(a) **Invest resources to support inclusive international cooperation projects and facilitate the provision of disability-specific expertise, capacity-building and know-how to strengthen national capacities;**

(b) **Mainstream disability rights in all strategies, assessments and projects, and recruit persons with disabilities onto their staff;**

(c) **Support State efforts to achieve compliance with the Convention and implement the Sustainable Development Goals in an inclusive manner.**